

CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, December 4, 2017

6:00 PM

Council Chambers

EXECUTIVE SESSION

None.

WORK SESSION

None.

1. OPENING EXERCISES: (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, ceremonial presentations, and Council comment)

Call to Order

Roll Call

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.3 a. [17-567](#) Proclamation recognizing Pearl Harbor Remembrance Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Pearl Harbor Remembrance Day.pdf](#)

1.3 b. [17-593](#) Proclamation of the Mayor and Canvass of Votes from the November 7, 2017 Special Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation of the Mayor](#)

[Canvass of Votes](#)

- 1.3 c. [17-599](#) Salem Fire Department's 160th Anniversary.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Proclamation - Salem Fire Department's 160th Anniversary](#)

1.4 PRESENTATIONS

2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)

3.1 MINUTES

3.2 RESOLUTIONS

3.3 ACTION ITEMS

4. PUBLIC HEARINGS

4. a. [17-577](#) AMENDED REPORT - SEE PAGE 3

City Council review of the Planning Administrator's decision for Phased Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-09 for property located at the 3700 and 3800 Blocks of Dogwood Drive S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

Recommendation: AFFIRM the Planning Administrator's October 30, 2017 decision.

Attachments: [Vicinity Map](#)[Site Plan](#)[SUB-ADJ17-09 Planning Administrator's Decision](#)[Written Testimony - Donovan](#)[Memo and Additional Attachments](#)[Written Testimony 1](#)[Written Testimony 2](#)*Add- Written Testimony***5. SPECIAL ORDERS OF BUSINESS: (Items deferred from the Consent Calendar; Mayor and Councilor Items; Items which require a selection among options; or of special importance to Council; management reports; presentations by City boards, commissions, committees, or outside agencies)**

5. a. [17-595](#) Waiver of Special Use Fee for a proposed Menorah Display

Ward(s): 1

Councilor(s): Andersen

Neighborhood(s): CANDO

6. INFORMATION REPORTS: (Items that require no Council action)

6. a. [17-552](#) Purchases approved administratively - October 1, 2017, through October 31, 2017.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.**Attachments:** [Purchases approved administratively October 2017](#)

6. b. [17-582](#) Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP17-06 - Approved - Kerith, LLC (Ken McKinney) - 3760 Hawthorne Avenue NE - Proposed development of an 8-unit apartment complex, with an Adjustment request to reduce the required perimeter setback to the north, to reduce the vehicle use area setback adjacent to a building and to reduce the building setback adjacent to a street.

Ward(s): 5

Councilor(s): Ausec
Neighborhood(s): Northgate

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-ADJ-DAP17-06](#)

7. ORDINANCES

7.1 FIRST READING:

7.1 a. [17-521](#) Vacation of Frontage Road NW and Paradise Court NW

Ward(s): 8
Councilor(s): Lewis
Neighborhood(s): West Salem Neighborhood Association

Recommendation: Conduct first reading of Ordinance Bill No. 28-17, which vacates Frontage Road NW and Paradise Court NW, and advance Ordinance Bill No. 28-17 to second reading for enactment.

Attachments: [Ordinance No. 28-17](#)
[Legal Description and Map](#)

7.1 b. [17-560](#) Adoption of the NESCA-Lansing Neighborhood Plan.

Ward(s): Wards 1, 2, 5, and 6
Councilor(s): Councilors - Kaser, Andersen, Ausec, and Hoy
Neighborhood(s): NESCA and Lansing

Recommendation: Conduct a public hearing regarding Ordinance Bill No. 27-17, adopting the goals, policies and generalized land use map of the NESCA-Lansing Neighborhood Plan as a component of the Salem Area Comprehensive Plan and adopt the other portions as support documents.

Attachments: [Attachment 1 Draft NESCA-Lansing Neighborhood Plan](#)
[Attachment 2 Planning Commission Recommendation](#)
[Attachment 3 Map of NESCA and Lansing](#)
[Attachment 5 Ordinance Bill 27-17](#)
[Exhibit 1 to Ordinance Bill 27-17](#)

7.1 c. [17-586](#) Salem Revised Code - Recodification project - Titles I - IX.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Conduct first reading, and proceed to second reading for enactment of Ordinance Bill No. 25-17, which makes minor amendments and formatting changes to Titles I-IX of the Salem Revised Code.

Attachments: [Attachment 1 - Summary of changes to Titles I Staff Report Attachment](#)

[Ordinance Bill No 25-17](#)

[Titles I--IX FINAL](#)

7.1 d. [17-588](#)

Salem Revised Code - Recodification Project - Unified Development Code.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct first reading of Ordinance Bill No. 26-17, which makes minor amendments and formatting changes to Title X of the Salem Revised Code, the Unified Development Code (UDC), and conduct a public hearing for the ordinance bill?

Attachments: [Ordinance Bill No. 26-17](#)

[Exhibit A - Part I - Title X UDC Recodification](#)

[Exhibit A - Part II - Title X UDC Recodification](#)

[Exhibit B - Supplemental Findings Ordinance Bill 26-17](#)

7.2 SECOND READING:

8. PUBLIC COMMENT: (Other than agenda items)

9. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the meeting. To request accommodations or services, please call 503-588-6255 or 503-588-6003 (TTD/TTY 503-588-6439), or by e-mail at: cityrecorder@cityofsalem.net at least two business days in advance.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6003.

UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS

- a. [17-583](#) PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted
- NESCA-Lansing Neighborhood Plan
Monday, December 11, 2017 at 6:00 p.m.
- Exemption from Competitive Bidding Requirement and Authorization of an Alternative Contracting Method for a Class of Public Improvement Contracts - Related to the New Public Safety Facility Project
Monday, December 11, 2017 at 6:00 p.m.
- Recodification of the Unified Development Code
Monday, December 11, 2017 at 6:00 p.m.
- WORK SESSIONS - Held in the Council Chambers unless otherwise noted
- Council Policy Agenda
Tuesday, January 16, 2018 at 6:00 p.m.
- BUDGET COMMITTEE MEETING - Held in the Council Chambers unless otherwise noted
- Wednesday, December 13, 2017 at 6:00 p.m.
- SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS
- Neighborhood - Annual Meeting Date - Councilor

MEETING PROCEDURES

City Council meets on the second and fourth Mondays of each month at 6:00 p.m. All meetings are in the Council Chambers, Room 240, 555 Liberty St. SE.

The Mayor, who is the presiding officer, is elected at large for a term of two years. Councilors are elected for four-year terms for each of the City's eight Wards. These nine officers comprise the Council who make the policy decisions for municipal activity and pass its ordinances and regulations.

Because the Mayor and Councilors' positions are part-time, without pay, the Council appoints a City Manager who is responsible for the administration and execution of the City's policies and ordinances.

The City Council generally follows Robert's Rules of Order, but has adopted supplementary rules that may be found on the City's website at:
<http://www.cityofsalem.net/Pages/council-rules.aspx>.

THE CONSENT CALENDAR

The Consent Calendar allows the Council to save time by acting on everything listed on that part of the agenda with one motion instead of considering each item separately. If a City Councilor believes a matter on the Consent Calendar deserves further discussion, the Councilor can request that item be removed from the Consent Calendar and considered separately under "Special Orders of Business."

PUBLIC COMMENT

There are two times at every regular City Council meeting when the public has an opportunity to address the City Council. The first time is immediately prior to the Consent Calendar. This time is reserved for questions or statements regarding items appearing on the agenda, except public hearings and the merits of land use issues. The second time is at the end of the agenda. At this time, you can address the City Council on any matter of public concern, other than an agenda item. The Mayor will announce the time for public comment, and invite persons to address the City Council. Each person has three minutes to address the City Council. The time light on the podium will flash yellow when you have one minute left, and will turn red when your time has expired.

HOW TO GET YOUR COMMENTS INCLUDED AS PART OF THE AGENDA

Any written comments that you wish to be given to the City Council that are about an item on an agenda must be submitted to the City Recorder by 5:00 pm on the day of the City Council meeting when the item will be considered. If you have some matter that you wish to have the City Council consider in the future, you are encouraged to submit your suggestion in writing to the City Manager at 555 Liberty Street SE, Room 205, Salem, OR, or by e-mail to: manager@cityofsalem.net.

PUBLIC HEARINGS

The City Council can hold public hearings to consider legislative, quasi-judicial or administrative matters. To testify at a hearing, you may sign up on the Hearing Roster located near the east entrance to the Council Chambers before the Mayor convenes the meeting. At the time for the hearing on the agenda, the Mayor will announce when the public hearing is open. If you have signed up to speak, come forward to the podium when the Mayor calls your name. State your name and either your address or the ward you live in. If you wish to receive notice of any written decision reached at the hearing, you must provide the City Recorder your address. When you have finished speaking, the Mayor will ask the Council if there are any questions for you, so please remain at the podium for a moment.

The time limit is 3 minutes per person for legislative and administrative hearings. The time limits for quasi-judicial hearings in non-land use cases are as follows:

1. Staff Presentation – 15 minutes
2. Affected Party – 15 minutes
3. Neighborhood Associations – 5 minutes
4. Other Interested Persons – 3 minutes per person
5. Rebuttal by Affected Party – 7 minutes

Time limits for quasi-judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503-588-6173 or email at: lmanderson@cityofsalem.net.

Timer lights are located on the podiums. A flashing yellow light means you have one minute left; a red light means your time has expired.

